

EXHIBIT A

SCOPE OF WORK

PURPOSE

The purpose of this agreement is to provide support services to assist the Energy Commission's Federal Economic Recovery Program with ensuring that the Energy Commission and the recipients of its ARRA funded programs comply with applicable California and federal prevailing wage requirements.

More specifically, the contractor shall assist the Energy Commission with four functions:

- 1) provide prevailing wage technical assistance to Energy Commission staff and ARRA funding recipients;
- 2) conduct the Commission's initial prevailing wage review to ensure that correct prevailing wage rates are included in all lower-tier subcontracts for labor or mechanic work to complete the objectives of the Commission's grant, loan, and contract agreements;
- 3) review weekly certified payroll reports submitted by all lower-tier subcontractors performing labor or mechanic work under the Commission's ARRA funded grant, loan, and contract agreements; and
- 4) conduct initial investigation and provide findings and recommendations to the Commission where there is suspected noncompliance with federal prevailing wage requirements.

TASK 1: KICKOFF MEETING

(Percentage of Anticipated Work: 1%)

The goal of this task is to establish the lines of communication and procedures for implementing this Contract.

The Contractor shall attend a "kick-off" meeting with the Energy Commission Contract Manager, Contracts Officer, and the Accounting Office. The Contractor shall include at a minimum their Project Manager, Contract Administrator, and Accounting Officer. The administrative and technical aspects of this contract will be discussed, including the requirement that a personnel work plan be created by the contractor that describes anticipated staffing for the completion of future tasks. The Commission Contract manager will designate the date and location of this meeting.

Deliverables:

Draft Personnel Work Plan

TASK 2: PREVAILING WAGE TECHNICAL ASSISTANCE

(Percentage of Anticipated Work: 10%)

The goal of this task is to provide technical assistance on California and federal prevailing wage requirements to Energy Commission staff and/or ARRA funding recipients.

As directed by the CCM, Contractor shall provide prevailing wage technical assistance to Energy Commission staff and the recipients of its ARRA funded programs that includes, but is not limited to, the following topics:

1. Identification of correct United States Department of Labor (DOL) and California Department of Industrial Relations (DIR) prevailing wage rates;
2. Certified payroll reports;
3. Compliance issues;
4. Trainee and apprentice requirements.
5. Labor compliance protocols

If the Contractor assists CCM or other Energy Commission staff:

- All requests for technical assistance for the Energy Commission shall be directed by CCM.

If the Contractor assists a recipient:

- All requests for technical assistance for recipients shall be directed by CCM. Contractor will not directly assist recipients without first receiving a written request for assistance from CCM. CCM will notify Contractor in writing with at least 2 business days notice. The notification will include the date, name of recipient, specific topics to cover and maximum number of hours to invoice for the recipient.
- CCM will direct Contractor whether to provide service to recipients via telephone, email or in-person meeting. If recipient travels to Contractor's location, no travel costs are necessary. However, if Contractor travels to recipient's location, this contract budget includes travel costs.
- Technical assistance provided to recipients will include the identification of correct DOL and/or DIR prevailing wage rates for lower-tier subcontracts for labor or mechanic work to complete the objectives of their funding agreement.
- For each occurrence where Contractor provides technical assistance to a recipient, upon completion, Contractor shall submit to CCM a summary of the assistance provided.
- Contractor will also include a statement in the Prevailing Wage Report completed for that subcontract pursuant to Task 3 below, indicating that assistance was provided to a recipient.

Deliverables:

Summaries of technical assistance provided to recipients(due as completed and to be submitted with Monthly Invoices and Progress Reports)

TASK 3: INITIAL PREVAILING WAGE REVIEW

(Percentage of Anticipated Work: 60%)

The goal of this task is to assist the Energy Commission with conducting its initial prevailing wage review to ensure that correct prevailing wage rates are included in all lower-tier subcontracts for labor or mechanic work to complete the objectives of the Commission's grant, loan, and contract agreements.

All recipients of the Energy Commission's ARRA funded programs that enter into a lower-tier subcontract for labor or mechanic work to complete the objectives of their agreement (subcontract) must submit a copy of each subcontract and other pertinent information, including applicable DOL and/or DIR wage determinations, project description, and job duties for each identified job classification to the Energy Commission. The Energy Commission reviews the information and approves the recipient to start work under the subcontract at specified wage and benefit rates. The subcontract(s) and other prevailing wage information are collectively referred to in this solicitation as the Prevailing Wage Consultation Package. The Energy Commission will review the Prevailing Wage Consultation Package submitted by each recipient and, where prevailing wage rates apply, approve the recipient to begin work under the subcontracts at specified labor and benefit rates. No work under any subcontract can begin until the Energy Commission provides this written approval.

The Contractor will assist the Energy Commission with its initial review and approval of prevailing wage rates for approximately 500 subcontracts by reviewing the Prevailing Wage Consultation Package submitted by each recipient to ensure that the correct prevailing wage rates are included in all subcontracts. The contractor will verify appropriate use of job classifications and prevailing wage rates with the recipient, labor organizations, DOL, and/or DIR, as necessary. The Contractor will also review each subcontract to ensure that the contract clauses required by DBA and DOE have been included.

At the conclusion of the Contractor's review of a recipient's Prevailing Wage Consultation Package the Contractor will submit a Prevailing Wage Report for each subcontract that includes, at a minimum, the following information:

- Identification of recipient, agreement number, and reviewed subcontract.
- Documentation of the steps taken to verify that all necessary job classifications are included in the subcontract and to verify that correct prevailing wage rates are included for each identified job classification, e.g., the outcome of any communications with the recipient, labor organizations, DOL, and/or DIR should be briefly summarized.
- Statement indicating whether the Contractor provided the funding recipient assistance in identifying the applicable DOL and/or DIR prevailing wage rates for their project pursuant to Task 3 above.
- Recommendation of verified job classifications and labor and benefit rates for inclusion in the subcontract.
- Statement indicating whether the required DBA contract clauses are included in the subcontract.

Deliverables:

Prevailing Wage Report for Each Reviewed Subcontract, due 7 business days after Contractor's receipt of the relevant information from CCM (unless otherwise directed by CCM)

TASK 4: REVIEW OF CERTIFIED PAYROLL REPORTS

(Percentage of Anticipated Work: 20%)

The goal of this task is to review weekly certified payroll reports submitted by approximately 500 lower-tier subcontractors performing labor or mechanic work under the Commission's ARRA funded grant, loan, and contract agreements.

The Contractor shall review the first three weekly certified payroll reports submitted by each subcontractor for compliance with federal prevailing wage requirements, and, where applicable, California prevailing wage rates. The Contractor's review of weekly certified payroll reports will include, but is not limited to, the following elements:

- Confirmation that weekly certified payroll reports do not include job classifications or labor or benefit rates that have not been previously approved for use in the applicable subcontract by the Energy Commission in writing.
- Confirmation that all deductions for bona fide fringe benefits satisfy the applicable criteria under the DBA.
- Confirmation that employee payments and deductions have been properly computed.

At the CCM's direction, the Contractor shall work with the recipient to resolve any identified discrepancies.

Each week, at the conclusion of the Contractor's review of the submitted weekly Certified Payroll Report for each subcontract, the Contractor will submit a Summary Report that includes, at a minimum, the following information:

- Identification of recipient, agreement number, applicable subcontract, and weekly period covered by reviewed certified payroll report.
- Identification of additional documentation reviewed, e.g., documents supporting payroll deductions.
- Identification of any payment discrepancies, e.g., failure to provide overtime compensation where required, and/or simple reporting errors, e.g., calculation errors or omission of data elements.
- Brief summary of the outcome of any action taken by the Contractor to resolve payment discrepancies and/or correct reporting errors.
- Statement indicating whether the reviewed Certified Payroll Report demonstrates that the subcontractor is in compliance with DBA prevailing requirements for the applicable weekly period. All instances of noncompliance with DBA prevailing wage requirements must be identified in the Summary Report.

The Contractor shall submit each Summary Report electronically to the CCM as well as in hard copy with the appropriate invoice.

The Energy Commission expects that the review of weekly certified payrolls will be conducted by clerical, non-technical, low-level personnel.

Deliverables:

Summary Report for Each Reviewed Weekly Certified Payroll Report

TASK 5: MONTHLY PROGRESS REPORTS

(Percentage of Anticipated Work: 5%)

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of the contract.

The Contractor shall prepare monthly written progress reports that summarize all contract activities conducted by the Contractor for the reporting period, including an assessment of the ability to complete the contract within the current budget and any anticipated cost overruns.

Each progress report is due to the CCM within 15 calendar days after the end of the reporting period. CCM will provide the reporting format.

Deliverables:

Monthly Progress Reports

TASK 6: FINAL REPORT

(Percentage of Anticipated Work: 4%)

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work done under this contract. The CCM will review and approve the Final Report. The Final Report must be completed on or before the termination date of the contract.

The Final Report shall be a public document.

Deliverables:

Final Report